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February 26, 2013

Ms. Marlene H. Dortch, Commission Secretary
Federal Communications Commission
445 12th Street, SW, Suite TW-A325
Washington, DC 20554

Filed Electronically Via ECFS

RE: NextEra FiberNet, LLC dba FPL FiberNet
Customer Proprietary Network Information Certification
EB Docket No. 06-36

Dear Ms. Dortch:

NextEra Fibernet, LLC dba FPL FiberNet ("Company"), by its undersigned attorneys, hereby submits its 2012 CPNI Compliance Certificate and Accompanying Statement certifying compliance with Section 64.2001 *et seq.* of the Commission's rules.

Please contact the undersigned should you have any questions or concerns at (269) 381-8893 extension 226 or patrick@crockerlawfirm.com.

Very truly yours,

CROCKER & CROCKER

Patrick D. Crocker

PDC/tld

Enclosures

Annual 47 C.F.R. § 64.2009(e) CPNI Certification

EB Docket 06-36

Annual 64.2009(e) CPNI Certification for 2012

Date filed: February 26, 2013

Name of Company Covered by this Certification: NextEra FiberNet, LLC
dba FPL FiberNet

NextEra FiberNet, LLC dba FPL FiberNet

Form 499 Filer ID: 828585

Name of Signatory: Carmen M. Perez

Title of Signatory: President

I am the President of NextEra FiberNet, LLC dba FPL FiberNet and as such do hereby certify, affirm, depose, and say that I have authority to make this Customer Proprietary Network Information ("CPNI") Annual Certification of Compliance on behalf of NextEra FiberNet, LLC dba FPL FiberNet. I have personal knowledge that NextEra FiberNet, LLC dba FPL FiberNet has established adequate operating procedures to ensure compliance with the Commission's CPNI rules as set forth in 47 C.F.R. § 64.2001 et. seq.

Attached to this Certification is an Accompanying Statement explaining how the company's procedures ensure compliance with the requirements set forth in 47 C.F.R. § 64.2001 et seq. of the Commission's rules.

NextEra FiberNet, LLC dba FPL FiberNet received no customer complaints in the past year concerning the unauthorized release of CPNI. Further, NextEra FiberNet, LLC dba FPL FiberNet has taken no action against data brokers for the unauthorized release of CPNI during calendar year 2012. NextEra FiberNet, LLC dba FPL FiberNet will report any information it may obtain with respect to the processes pretexters are using to attempt to access CPNI and what steps NextEra FiberNet, LLC dba FPL FiberNet is taking to protect CPNI.

This Certification is dated this 26 day of February, 2013.


Carmen M. Perez

President

NextEra FiberNet, LLC dba FPL FiberNet

**Accompanying Statement to
Annual CPNI Compliance Certification for
NextEra FiberNet, LLC dba FPL FiberNet
February²⁶, 2013**

NextEra FiberNet, LLC dba FPL FiberNet operating procedures ensure that NextEra FiberNet, LLC dba FPL FiberNet is in compliance with 47 C.F.R. Part 64, Subpart U, as follows:

Employee Training and Discipline

- NextEra FiberNet, LLC dba FPL FiberNet trains and obligates all employees, sales contractors, and sales agents with access to CPNI, to protect the confidentiality of CPNI by requiring compliance with the NextEra FiberNet, LLC dba FPL FiberNet Customer Proprietary Network Information Protection Policy (the "Policy").
- NextEra FiberNet, LLC dba FPL FiberNet requires all employees, sales contractors and sales agents with access to CPNI to confirm receipt of the Policy, that they have read and understand the Policy. Failure to follow the Statement may result in disciplinary action or termination of their employment.

Sales and Marketing Campaigns

- NextEra FiberNet, LLC dba FPL FiberNet requires management approval for all sales and marketing campaigns.

Record-Keeping Requirements

- NextEra FiberNet, LLC dba FPL FiberNet implemented a system by which the status of a Customer's CPNI approval can be established prior to the use of CPNI.
- NextEra FiberNet, LLC dba FPL FiberNet established the SR System to maintain a record of all sales and marketing campaigns that use CPNI, including marketing campaigns of affiliates and independent contractors.
- NextEra FiberNet, LLC dba FPL FiberNet ensured that these records include a description of each campaign, the specific CPNI that was used in the campaign, and what products and services were offered as a part of the campaign.
- NextEra FiberNet, LLC dba FPL FiberNet requires that these records are maintained for a minimum of one (1) year.

Establishment of a Supervisory Review Process

- NextEra FiberNet, LLC dba FPL FiberNet established a supervisory review process for all outbound marketing situations.
- NextEra FiberNet, LLC dba FPL FiberNet certified that under this review process, all sales personnel obtain supervisory approval of any proposed outbound marketing request for customer approval.

Opt-In

- NextEra FiberNet, LLC dba FPL FiberNet only discloses CPNI to sales agents, affiliates, joint venture partners, independent contractors or to any other third parties only after receiving "opt-in" approval from a customer.
- NextEra FiberNet, LLC dba FPL FiberNet enters into confidentiality agreements with joint venture partners, independent contractors or any other third party when releasing CPNI. All such confidentiality agreements are reviewed by the director of legal and regulatory affairs.

Opt-Out Mechanism Failure

- NextEra FiberNet, LLC dba FPL FiberNet established a protocol requiring written notice to the FCC with written notice within five (5) business days of any instance where opt-out mechanisms did not work properly, to such a degree that consumers' inability to opt-out is more than an anomaly.

Compliance Certificates

- NextEra FiberNet, LLC dba FPL FiberNet executes a statement, signed by an officer, certifying that he or she has personal knowledge that NextEra FiberNet, LLC dba FPL FiberNet has established operating procedures that are adequate to ensure compliance with the FCC's CPNI regulations.
- NextEra FiberNet, LLC dba FPL FiberNet prepared this Accompanying Statement detailing how operating procedures ensure compliance with CPNI regulations.
- NextEra FiberNet, LLC dba FPL FiberNet provided an explanation of any actions taken against data brokers.
- NextEra FiberNet, LLC dba FPL FiberNet provided a summary of all customer complaints received in the past year concerning unauthorized release of CPNI.

Customer Authentication Methods

- NextEra FiberNet, LLC dba FPL FiberNet instituted customer authentication methods to ensure adequate protection of customers' CPNI.

Notification to Law Enforcement and Customers of Unauthorized Access

- NextEra FiberNet, LLC dba FPL FiberNet established a protocol under which the appropriate law enforcement agency is notified of any unauthorized access to a customer's CPNI.
- NextEra FiberNet, LLC dba FPL FiberNet ensured that all records of any discovered CPNI breaches are kept for a minimum of two (2) years.